

Daniel Steven Elliott, M.D.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

IN RE: ETHICON, INC., :Master File No.
PELVIC REPAIR SYSTEM :2:12-MD-0237
PRODUCTS LIABILITY :
LITIGATION :MDL No. 2327

THIS DOCUMENT RELATES TO :JOSEPH R. GOODWIN
THE CASES LISTED BELOW :U.S. DISTRICT JUDGE

Mullins, et al. V.	2:12-cv-02952
Ethicon, Inc., et al.	
Sprout, et al. V.	2:12-cv-07924
Ethicon, Inc., et al.	
Iquinto v. Ethicon,	2:12-cv-09765
Inc., et al.	
Daniel, et al. V.	2:13-cv-02565
Ethicon, Inc., et al.	
Dillon, et al. V.	2:13-cv-02919
Ethicon, Inc., et al.	
Webb, et al. V.	2:13-cv-04517
Ethicon, Inc., et al.	
Martinez v. Ethicon,	2:13-cv-04730
Inc., et al.	
McIntyre, et al. V.	2:13-cv-07283
Ethicon, Inc., et al.	
Oxley v. Ethicon,	2:13-cv-10150
Inc., et al.	
Atkins, et al. V.	2:13-cv-11022
Ethicon, Inc., et al.	
Garcia v. Ethicon,	2:13-cv-14355
Inc., et al.	
Lowe v. Ethicon,	2:13-cv-14718
Inc., et al.	
Dameron, et al. V.	2:13-cv-14799
Ethicon, Inc., et al.	
Vanbuskirk, et al. V.	2:13-cv-16183
Ethicon, Inc., et al.	

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1 sheets that pertain to the Sparc or Monarc
2 products?

3 A. No, I have not.

4 Q. Have you ever looked at the MSDS
5 sheets that pertain to the Coloplast sling
6 products?

7 A. I have not.

8 Q. Why not?

9 A. Because I don't know how to find them.

10 Q. Am I correct; you never used the TVT
11 retropubic device?

12 A. Correct. Correct. You're right.

13 Q. And when I say TVT retropubic, I mean
14 the original, still-on-the-market-today Ethicon
15 manufactured TVT retropubic device.

16 A. Correct. The bottom up. They also
17 have a top-down. But bottom line, I have not used
18 any Ethicon product for stress urinary
19 incontinence.

20 Q. Okay. So that makes it fast. Great.

21 Before writing your report in this
22 case, did you review the order issued by the judge
23 regarding the design defect claim in Mullins, and
24 what the judge expected the parties to focus on in
25 this matter?

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1 know of another one. If that study says there's
2 only one bottom-up and it's the TVT, I can't
3 disagree with that. I just don't know right now.

4 Q. You certainly know that the TVT
5 retropubic device has been studied in more
6 randomized control trials than any other stress
7 urinary incontinence surgical device; correct?

8 MR. CARTMELL: Object to the form.

9 A. I have -- I have heard a lot of facts
10 like that. I have never independently verified
11 that to be true, but I don't doubt its existence.

12 Q. BY MR. SNELL: It says the retropubic
13 bottom-to-top route also "incurred significantly
14 less voiding dysfunction and led to fewer bladder
15 perforations and vaginal tape erosions"; correct?

16 A. That is what they state, yes.

17 Q. And those would be benefits of using a
18 retropubic bottom-to-top route like the TVT
19 retropubic employs as compared to a top-to-bottom
20 route; correct?

21 MR. CARTMELL: Object to the form.

22 A. Well, correct except that Ethicon
23 makes a TVT-AA, which is top-to-bottom. So based
24 upon what they're saying here, TVT-AA would be
25 included in the top-to-bottom. So this would be